

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JORGE LOPEZ #242607,

Petitioner,

File no: 2:07-CV-152

v.

HON. ROBERT HOLMES BELL

GERALD HOFBAUER,

Respondent.

_____/

ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that Petitioner's habeas corpus petition is hereby **DISMISSED**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED** as to each issue raised by the Petitioner in this application for habeas corpus relief because Petitioner has failed to make a "substantial showing of a denial of a constitutional right." 28 U.S.C. § 2253(c)(2).

IT IS FURTHER ORDERED that Petitioner's Notice of Appeal filed August 8, 2007 (docket #3), is **DENIED** as moot.

Date: December 17, 2007

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE